

Docket No. F-8601

Ser. No. 10/526,205

chloride ion generating agent has suppressed the sealing effect caused by the hydrate.

REMARKS

Reconsideration is respectfully requested. With entry of the amendments made in this paper, claims 15-30 will be pending in this application. Claims 1 - 9 were canceled in an earlier paper. Claims 10 -14, previously withdrawn from consideration as being drawn to a non-elected invention, are canceled herein without prejudice. Applicants reserve the right to present the subject matter of the non-elected claim group canceled herein in a divisional application. Claims 15-29 are amended. Claim 30 is new.

The claims have been rejected under 35 U.S.C. § 112 paragraphs 1 and 2. The claims have been amended to address these rejections. In view of the rejection under section 112 paragraph 1, the following is an identification of the written description that supports each claim presented in this paper:

Support for claim 15 as amended can be found, for example, in claim 1, as filed, and in the specification at page 2, lines 6-8, page 19, lines 6-8, page 19, line 9 to page 20, line 3, and page 20, lines 7 to 12.

Docket No. F-8601

Ser. No. 10/526,205

Support for claim 16 can be found, for example, at specification page 19, line 5 to page 20, line 3.

Support for claim 17 can be found, for example, at specification page 19, lines 5-22.

Support for claim 18 can be found, for example, at specification page 15, lines 19-23.

Support for claim 19 can be found, for example, in claim 2, as filed.

Support for claim 20 can be found, for example, in claim 3, as filed, and at specification page 21, lines 2-9.

Support for claim 21 can be found, for example, in claim 4, as filed, and at specification page 21, lines 18-25.

Support for claim 22 can be found, for example, in claim 5, as filed, and at specification page 24, lines 12-17.

Support for claim 23 can be found, for example, in claim 7, as filed, and at specification page 19, line 23 to page 20, line 6.

Support for claim 24 can be found, for example, from that which is identified for claim 15 and at specification page 34, line 7 to page 35, line 13.

Claims 25, 26, and 27 find support from that which is identified

Docket No. F-8601

Ser. No. 10/526,205

for claim 15.

Support for claim 28 can be found, for example, at specification page 15, lines 19-23.

Support for claim 29 can be found, for example, at specification page 27, lines 19-24.

New claim 30 finds support from claim 22, before this claim was amended, and also, in the support noted above for claim 24.

It is submitted that as amended, the rejections of the claims under 35 U.S.C. § 112 paragraphs 1 and 2 are overcome.

Claims 15-24 and 26-28 are rejected under 35 U.S.C. § 103 (a) as unpatentable over GB 706,739 ("GB '739") in view of Tsuji, U.S. Patent No. 5,409,156, Murota et al., U.S. Patent No. 7,078,155, and Maget, U.S. Patent No. 4,239,607. It is respectfully submitted that this rejection is overcome.

GB '739 is purported to teach the oxidation of an aluminum article with a solution of CO₂ and sulfuric acid. The combined teachings of the references differ from the claimed subject matter in that the claimed subject matter includes *hydrochloric acid* as a chloride ion-generating agent. This teaching is missing from the references. For example, GB '739 teaches the use of sulfuric acid. Tsuji does not cure the deficiencies of the primary reference, as it also teaches sulfuric acid. Tsuji does not suggest that hydrochloric acid can be employed in

Docket No. F-8601

Ser. No. 10/526,205

the treatment solution. Also, Tsuji does not teach that the pH of the electrolytic solution is 3 to 4.

Murota and Maget are relied upon to supply the teaching missing from GB '739 and Tsuji concerning hydrochloric acid. However, these references respectively derive from the non-analogous art fields of lithography and water treatment. These reference do not relate to the practice of coating aluminum with oxides through electrolytic processes. Murota and Maget provide no teaching, suggestion, motivation, or apparent reason that would direct the person of skill in the art, working in the hindsight-free time period before the invention was made, to replace the sulfuric acid of GB '739 and Tsuji with hydrochloric acid. There is nothing in these references that teaches, suggests, motivates or provides a reason that would have directed the skilled person working in that time period to employ hydrochloric acid as a chlorine-ion generating agent for suppressing the sealing of pores in the formed oxide film. Accordingly, the section 103 rejection is overcome.

Claim 24 also recites steps for depositing a catalyst on the oxide film. The references do not disclose or suggest these process steps. Claim 24 is in condition for allowance for this additional reason.

Claim 29 is rejected under section 103 on the aforesaid combination of references with further inclusion of the teachings of WO 00/77135. Claim 29 is

Docket No. F-8601

Ser. No. 10/526,205

RECEIVED
CENTRAL FAX CEN
AUG 30 2010

believed to be allowable for the reasons set forth with respect to claims 15, 24, 25, and 26, from which claim 29 depends.

For the reasons set forth above, the rejections under section 103 are believed to be overcome.

REQUEST FOR EXTENSION OF TIME

Applicants respectfully request a one month extension of time for responding to the Office Action. The fee of \$65.00 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

Docket No. F-8601

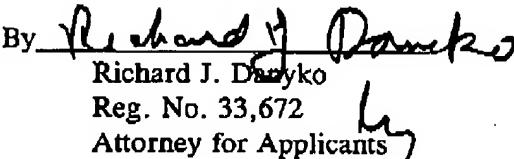
Ser. No. 10/526,205

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

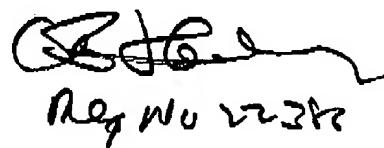
Respectfully submitted,
JORDAN AND HAMBURG LLP

By 

C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants
and,

By 
Richard J. Danyko
Reg. No. 33,672
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340


Reg. No. 22,389

enc: Form PTO-2038